

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, June 21, 2010
5:45 P.M.

Invocation by Pastor Jim Adams, Cornerstone Church.

Pledge of Allegiance.

Mayor's Welcome.

Awards, Recognitions and Announcements.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

1. Take action on all consent agenda items.

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- *2. Approval of minutes of previous meetings as written.
- 3. Conduct a public hearing concerning the Five Year Capital Improvement Program for Fiscal Years ending 2011-2015.
- 4. Conduct a public hearing on the proposed Fiscal Year 2010-11 Budget Plan.
- 5. Conduct a public hearing concerning the Home Rule adjustment to the State expenditure limitation.
- 6. Conduct a public hearing concerning irrigation water, natural gas, reclaimed water, solid waste, wastewater, water rate components fees and/or service charges adjustments.
- 7. Take action on ordinances and resolutions relating to utility rates:
 - 7a. Take action on an ordinance and resolution modifying rates for natural gas utility services.
 - 7b. Take action on an ordinance and resolution modifying rates for water utility services.
 - 7c. Take action on an ordinance and resolution modifying rates for wastewater utility services.
 - 7d. Take action on an ordinance and resolution modifying rates for solid waste utility services.
 - 7e. Take action on an ordinance and resolution modifying the fees and charges for Utility Customers.
 - 7f. Take action on an ordinance and resolution modifying the Terms and Conditions for the Sale of Utilities.
 - 7g. Take action on ordinance amending Title 5, Chapter 10 of the Mesa City Code to adopt a tax rate for wastewater services.

At this time the Mayor and Council will recess the Regular Council meeting and convene a Special Council meeting for the purpose of approving the Budget, the Five-Year Capital Improvement Program, and the Home Rule adjustment to the State expenditure limitation. Following the Special Council meeting, the Regular Council meeting will be reconvened.

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8. Conduct a public hearing prior to the release of the petition for signatures for the following proposed annexations:

8a. **A09-05 (District 5)** Annexing land located north of Main Street and west of Hawes Road (0.15± acre). Initiated by the property owner, Michael L. McGinnis.

8b. **A09-06 (District 5)** Annexing land located south of University Drive and west of Power Road (1.85± acres). Initiated by the property owner, Jan Hyc.

9. Take action on the following liquor license applications:

*9a. Neighborhood Economic Development Corporation

This is a two day civic event to be held on Friday, July 2, 2010 from 6:00 p.m. to 10:00 p.m. and Saturday, July 3, 2010 from 6:00 p.m. to 10:00 p.m. at 1 to 270 W. Main Street. **(District 4)**

*9b. Michael's Greenside Grill

New Restaurant License for Michael's Greenside Grill, 721 S. Rochester, Michael McKean Thornton, Individual. The previous Beer & Wine Bar License held at this location by Fozzles at Sunland Village LLC was transferred with the State. **(District 6)**

*9c. R.U.B. Sports Grill

New Restaurant License for R.U.B. Sports Grill, 2103 W. Guadalupe Road, R.U.B. LLC – Lauren Kay Merrett, Agent. This is an existing building with no previous liquor license at this location. **(District 3)**

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10. Take action on the following contracts:

- *10a. Purchase of 12 Replacement Hand-Held Speed Detection Devices for the Police Department (**Sole Source**) (Fully Funded by Governor's Office of Highway Safety Grant) (**Citywide**)

The Purchasing Division recommends authorizing purchase from the State contract with Kustom Signals, Inc. at \$36,115.20, including applicable use tax.

- *10b. Purchase of a Replacement Breathing Air Compressor Station for the Fire Department (**Citywide**)

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, United Fire Equipment Co. at \$54,462.16, including applicable sales tax.

- *10c. Purchase of a Replacement Data Preservation System for the Police Department (**Citywide**)

The Purchasing Division recommends authorizing purchase from the lowest, responsive and responsible bidder, Western Office Systems at \$40,715.03, based on estimated requirements.

- *10d. Renewal of the Term Contract for UV Wastewater Disinfection Lamps, Ballasts and Wipers for the Water Resources Department (**Sole Source**) (**Citywide**)

The Purchasing Division recommends authorizing renewal of the contract with DC Frost Associates Inc. at \$228,130 annually, based on estimated requirements.

- *10e. Renewal of the Supply Contract for Spray Marking Paint for Warehouse Inventory (**Citywide**)

The Purchasing Division recommends renewal of the contract with Abatix at \$47,900 annually, based on estimated requirements.

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*10f. Term Contract for Tires for the Fire Department **(Citywide)**

The Purchasing Division recommends authorizing purchase from the State of Arizona/WSCA contract with Redburn Tire Company (a Mesa business) at \$105,000 annually, including applicable sales tax, and based on estimated requirements.

*10g. Carriage Lane Basketball Court Replacement, 3140 S. Carriage Lane **(District 3)**

City Project 09-907-001. This project includes the replacement of the existing basketball courts, basketball standards, benches and trash receptacle, installation of bicycle loops, and an Americans with Disabilities Act (ADA) accessible concrete walk to connect the basketball courts to the existing restroom and parking area. Parks staff will complete the finished grading and necessary turf re-establishment in areas impacted by the construction.

Recommend award to the low bidder, Construction 21 LLC, in the amount of \$65,321, plus an additional \$6,532.10 (10% allowance for change orders) for a total award of \$71,853.10. Funding is available in the tentative FY 10/11 Parks, Recreation and Commercial Facilities Operating Budget.

*10h. Autry Park Irrigation Pump Improvements, 4125 E. McKellips Road **(District 5)**

City Project 09-918-001. This project includes rehabilitation of the concrete vault structure, installation of three new pumps, new electrical controls, installation of a concrete block wall around the site, and the installation of a shade canopy.

Recommend award to the low bidder, Green Landscaping and Irrigation, Inc., in the amount of \$174,572.46, plus an additional \$17,457.25 (10% allowance for change orders) for a total award of \$192,029.71. Funding is available in the tentative FY 10/11 Parks, Recreation and Commercial Facilities Operating Budget.

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*10i. Information Technology Department (ITD) Data Center
Power Distribution Upgrades, 59 E. 1st Street **(District 4)**

City Project 09-921-001. This project will replace three electrical power distribution units (PDU's) located in the City's Data Center and the rewiring of the Data Center.

Recommend award to the low bidder, Kortman Electric Inc., in the amount of \$121,853, plus an additional \$12,185.30 (10% allowance for change orders) for a total award of \$134,038.30. Funding is available in the tentative FY 10/11 Information Technology Department Operating Budget.

*10j. Generator Replacement at Police Central, 130 N. Robson,
(District 4)

City Project 09-925-001. This project will replace the existing generator with a new natural gas backup generator to power key systems in the Police Department in the event of a utility power outage.

Recommend award to the low bidder, R.K. Sanders, Inc., in the amount of \$73,900, plus an additional \$7,390 (10% allowance for change orders) for a total award of \$81,290. Funding is available in the tentative FY 10/11 Facilities Maintenance Operating Budget.

11. Take action on the following resolutions:

*11a. Modifying the fees associated with loaning City owned ITS/Traffic signal equipment to contractors.

*11b. Modifying the fees and charges for Falcon Field Airport.

*11c. Modifying the fees and charges for the Development and Sustainability Department.

*11d. Eliminating the fees and charges for the Executive Budget Plan Book, CD and Five Year Capital Improvement Program.

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*11e. Approving and supporting the submittal of a grant application by the City of Mesa Parks Recreation and Commercial Facilities Department to the Gila River Indian Community in the amount of \$603,000 over three years to operate the Washington Activity Center.

*11f. Approving and supporting the submittal of a grant application by Paz de Cristo Community Center to the Gila River Indian Community in the amount of \$40,000 to repair, upgrade and replace obsolete equipment at the Broadway Road facility.

*11g. Approving and adopting the Maricopa County Community Wildfire Protection Plan.

*11h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Maricopa County Department of Health for reimbursement up to \$75,000 to provide childhood immunizations.

*11i. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County Sheriff's Office to secure grant funds for the Police Department in the amount of \$59,408 for Coplink node network connectivity.

*11j. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County Sheriff's Office to secure grant funds for the Police Department in the amount of \$83,598 for Coplink uplift license fees.

*11k. Approving and authorizing the City Manager to execute a Grant Agreement with Maricopa County to accept grant funds in the amount of \$242,540 to purchase replacement network equipment for the Police Department.

*11l. Approving and authorizing the City Manager to execute a Development Agreement with Marc Center of Mesa, Inc. and the Village at Oasis Park-Phase I, Inc. for the timely construction of Oasis Drive and Palm Drive road improvements. **(District 6)**

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*11m. Approving and authorizing the City Manager to execute a Memorandum of Understanding among the City of Tempe, City of Mesa and Valley Metro Rail, Inc. to provide security services for the light rail system and the Sycamore park-and-ride facility. **(District 3)**

*11n. Determining to grant a Gas Franchise to Southwest Gas Corporation subject to approval by the qualified electors at an election to be held on November 2, 2010.

12. Introduction of the following ordinances and setting July 1, 2010 as the date of the public hearing on these ordinances:

*12a. Repealing the existing Personnel Rules applicable to City of Mesa employees and adopting new Personnel Rules.

13. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

*13a. Amending Title 5, Chapter 3, Chapter 7 and Chapter 11 of the Mesa City Code to modify the fees and charges for Park and Swap Operations, Auctioneers, Pawnbrokers, Scrap Metal Dealers, Secondhand Dealers and Teenage Dance Halls.

*13b. Modifying the fees and charges for Revenue Collections Operations of the Business Services Department.

13c. **Z10-10 (District 6)** 1455 South Power Road. Located north of the Superstition Freeway and east of Power Road. Council Use Permit. This request will allow the development of a Freeway Landmark Monument Sign. KIMCO Realty Corp. owner, Doug Atkins, applicant.

DRB Recommendation: Approval with Conditions.
(Vote 5 – 0, Boardmember Boswell absent)

P&Z Recommendation: Approval with Conditions.
(Vote: 4 – 0, Boardmembers Mizner and Coons absent)

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14. Take action on the following resolutions and ordinances:

*14a. Take action on resolution approving and authorizing the City Manager to execute a Pre-Annexation Agreement with Rancho Reata LLC for the timely construction of sewer line installation and required on and off-site improvements as a condition of annexation. **(District 6) (Continued to the July 8, 2010 Council meeting)**

*14b. Take action on ordinance regarding **A07-36 (District 6)** Annexing land located on Pueblo Avenue just west of Crismon Road (19.3± acres). Initiated by the property owner, Jeffrey Tang/Rancho Reata LLC. **(Continued to the July 8, 2010 Council meeting)**

*14c. Take action on ordinance regarding **Z10-13 (District 6)** 9828 East Pueblo Avenue. Located west of Crismon Road and south of Broadway Road (19.3± acres). Rezone from Maricopa County R1-43 to City of Mesa R1-43. This request will establish City of Mesa zoning on recently annexed property. Rancho Reata, owner; City of Mesa applicant. **(Continued to the July 8, 2010 Council meeting)**

P&Z Recommendation: Approval with Conditions.
(Vote 4 – 0, Boardmembers Mizner and Coons absent)

*14d. Take action on ordinance regarding **Z10-14 (District 6)** 9828 East Pueblo Avenue. Located west of Crismon Road and south of Broadway Road (19.3± acres). Rezone from R1-43 to R-4 for a Manufactured Home Park. This request will bring the zoning of the property into conformance with the existing land use. Rancho Reata, owner; David Cisiewski, applicant. **(Continued to the July 8, 2010 Council meeting)**

P&Z Recommendation: Approval with Conditions.
(Vote 4 – 0, Boardmembers Mizner and Coons absent)

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15. Take action on the following subdivision plats:

*15a. “LEHI COM PARK” - **(District 1)** – 1957 N Hobson. Located south and east of Hobson and McKellips Road. Six (6) C-2 PAD lots (2.13± acres). Cory N and Cindy L Allen, Lehi Commerce Park, LLC, owner; Anthony N. Zaugg, surveyor, Allen Consulting Engineers, Inc.

*15b. “MESA RANCH” - **(District 4)** – 1116 S Stapley Dr. Located north and west of Stapley Drive and Southern Avenue. Six (6) C-2 Lots (16.7± acres). Mesa Ranch Plaza, LLC, owner; Jason Segneri, surveyor, Survey Innovation Group, Inc.

- *16. Authorizing the City Manager to enter into an agreement with the Mesa Convention & Visitors Bureau to continue promoting tourism and convention business in Mesa.

17. Items from citizens present. (Maximum of three speakers for three minutes per speaker).